

REMARKS

Claims 1, 11-22, 24, 34-35, 45 and 47-52 are pending. Claims 1, 12, 22, 24, 35 and 45 are amended. No new matter is added. The Examiner rejected claims 1, 11-22, 24, 34, 35, 45 and 47-52 under 35 U.S.C. § 103(a) as being unpatentable over U.S. 2007/0011206A1 ("Gupta") in view of U.S. 6,766,298B1 ("Dodrill"). The applicant respectfully traverses the rejections and requests reconsideration in view of the remarks and amendments herein.

Claims 1, 11 and 47

Claim 1 recites a computer-implemented method for generating an audio-based form and reads as follows:

A computer-implemented method for generating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, the method comprising:

defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields of the audio-based form;

defining structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encoding the zoning and structural information in one or more audio signals; and

incorporating the one or more audio signals including the encoded zoning and structural information into the audio-based form.

The Examiner asserts that Gupta discloses an audio-based form. In particular, the Examiner refers to Gupta's playlist. The playlist is merely a listing of "multimedia segments to be retrieved and presented in a given order" (Gupta, para. [0043]). The applicant respectfully submits that Gupta's playlist is not an audio-based form as that term is used throughout the specification. Claim 1 has been amended to clarify the definition of audio-based form as used within the claims. An audio-based form is represented electronically as a digital audio file and includes audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field.

Gupta does not disclose any such audio-based form. First, Gupta's playlist is not a digital audio file that includes audio signals recording a voice speaking a name of a data field followed by a pause, during which a user can speak the user data. Further, Gupta's Fig. 7 relied on by the Examiner shows a dialog box that can be used to input an annotation at a particular temporal position within a media stream. The dialog box itself is not an audio-based form, as it does not include audio signals speaking names of data fields.

The Examiner further relies on Dodrill as teaching the 2nd-4th limitations of claim 1. Dodrill also does not disclose an audio-based form as that term is defined in the claims. Dodrill does disclose an "XML aware audio resource" that plays audio files in a prescribed sequence and can include a recording operation to record a user's voice (see Col. 12, lines 17-23). However, neither Gupta nor Dodrill disclose encoding zoning and/or structural information in audio signals that are included in audio signals providing an audio-based form. Claim 1 specifies that zoning information identifies a temporal location and dimension of a data field of the audio-based form. The annotations to a media stream disclosed by Gupta and relied on by the Examiner as disclosing zoning information do not satisfy this limitation. Gupta discloses that an annotation into a media stream can be made using the dialog box shown in Fig. 7, which annotation is made at a particular temporal position within the media stream. However, there is no disclosure that information about the temporal location and a temporal dimension is encoded into an audio signal, which audio signal is included in the audio signals providing the audio-based form. Accordingly, the applicant respectfully submits that Gupta does not disclose the first limitation of claim 1, nor is there a disclosure in Dodrill of zoning information encoded in audio signals.

As the references neither alone nor in combination disclose the limitations of claim 1, the applicant respectfully submits claim 1 is in condition for allowance. Claims 11 and 47 depend from claim 1 and are therefore allowable for at least the same reasons.

Claims 12, 22, 24, 34, 35, 45 and 47-52

The Examiner rejected independent claims 12, 22, 24, 35 and 45 for reasons corresponding to those relied on in rejecting claim 1, and for each of the reasons set forth above

in reference to claim 1, these rejections should be withdrawn. Claims 34 and 47-52 depend from said independent claims and are therefore allowable for at least the same reasons.

Claim 34

Claim 34 is further allowable for at least the following additional reason. Claim 34 recites the computer program product of claim 24, "wherein data entered on the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form." That is, the audio-based form is self-describing in terms of zoning and structural information. It is therefore possible to access the zoning or structural information without accessing an external source, such as a forms catalog or a website. The need to issue a form identification number (ID), register the ID in a catalog, maintain the catalog up-to-date, and include the ID within the audio-based form is avoided. Because neither Gupta nor Dodrill disclose including encoded zoning and structural information within an audio-based form, there is also no disclosure of accessing such information without access to source external to the audio-based form. Accordingly, claim 34 is further allowable for this additional reason.

Claims 47-52

Claim 47 recites the method of claim 1, and further includes the following limitations:

"encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and

incorporating the one or more audio signals including the encoded instructions into the audio-based form."

Neither Gupta nor Dodrill disclose including encoded instructions in the audio-based form, where the instructions indicate where to transmit user data extracted from the audio-based form and how to transmit said data. Including such instructions in the audio-based form further enhances the self-describing quality of the audio-based form. As neither reference discloses these limitations, claim 47 is further allowable for this additional reason.

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Claims 48-52 depend from claims 12, 22, 24 and 35 respectively. Each of claims 48-52 include limitations corresponding to those in claim 47 quoted above. Accordingly, claims 48-52 are also further allowable for at least the reason described above in reference to claim 47.

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Respectfully submitted,

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